

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

DEBRA BRACEWELL, #130672,)
Petitioner,)
v.) CASE NO. 2:07-cv-214-MEF
STATE OF ALABAMA, *et al.*,)
Respondents.)

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

- (1) The petitioner's Objections to the Magistrate Judge Recommendation (Doc. #7) filed on March 22, 2007 are overruled;
- (2) The Recommendation of the United States Magistrate Judge (Doc. #4) entered on March 19, 2007 is adopted;
- (3) With respect to petitioner's claim that she is incarcerated on the wrong sentence, this claim is DISMISSED with prejudice as it is meritless.
- (4) To the extent that petitioner challenges the trial court's imposition of a sentence for life without parole, this claim is DISMISSED in accordance with the provisions of 28 U.S.C. § 2244(b)(e)(A) as the petitioner has failed to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing this court to consider a successive habeas application.
- (5) The 28 U.S.C. § 2254 petition for habeas corpus relief filed by petitioner is DENIED.

DONE this 27th day of March, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE